IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 12858 of 2007(E)

PETITIONER:

DILIP KUMAR PRABHULAL, AGED 55 YEARS,
S/O.LATE PRABHULAL NARANJEE, " KALPATARU ",
13/1012, TRIKOVIL LANE, CALICUT - 673 001.

BY ADV. SRI.P.N.RAVINDRAN
SMT.PREETHY KARUNAKARAN
SMT.MEENA.A.
SMT.M.R.MINI

RESPONDENTS:

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1. CORPORATION OF CALICUT,
CORPORATION OFFICE, CORPORATION ROAD,
CALICUT - 673 032, REPRESENTED BY ITS
SECRETARY.

2. M/S.EMPEE CREDIT CORPORATION,
8/189, SILK STREET, NEAR BANK OF INDIA,
CALICUT - 673 032.

3. MRS.SARALA P.SHAH, AGED 70 YEARS,
W/O.RAMESH MANEKLAL MEHTA, RESIDING AT
1, "SUJATHA", NANDAVAN COLONY, EXHIBITION ROAD,
WEST HILL, CALICUT - 673 005.

4. MR.SANDEEP POONAMCHAND MANEKLAL MEHTA,
AGED 45 YEARS, S/O.LATE POONAMCHAND MEHTA,
RESIDING AT 2, "ROOPAM", NANDAVAN COLONY,
EXHIBITION ROAD, WEST HILL, CALICUT - 673 005.

5. MRS.HEENA SANDEEP MEHTA, AGED 42
YEARS, W/O.SANDEEP POONAMCHAND MANEKLAL MEHTA,
RESIDING AT 2, "ROOPAM", NANDAVAN COLONY,
EXHIBITION ROAD, WEST HILL, CALICUT - 673 005.

6. MRS.POORNIMA NITHIN MEHTA, AGED 53
YEARS, W/O.NITHIN MANEKLAL MEHTA,
9/1, "POORNIMA", VTH MAIN, JAYALAKSHMIPURAM,
MYSORE - 570 012, KARNATAKA STATE.

7. MRS.NEERU MANOJ MEHTA,
W/O.MANOJ RAMESH MEHTA,
4, "PAVILLA", VIITH MAIN, GOKULAM,
MYSORE - 570 002, KARNATAKA STATE.

R2 & R3 BY ADV. SRI.V.M.KURIAN
R1 BY ADV. SRI.P.V.KUNHIKRISHNAN,SC,KOZHIKODE CORP
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS
SRI.ISAC T.PAUL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.12858 of 2007

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Dated this the 21st day of June, 2007

JUDGMENT

Petitioner challenges Ext.P1, which is a building permit issued in favour of the third respondent. By Ext. P18 the respondent Corporation has already issued show cause notice as to why the said permit should not be cancelled.

2. Heard counsel for the parties.

In the circumstances the writ petition is disposed of as follows:

There will be a direction to the first respondent to complete the proceedings commenced vide Ext.P18 after affording an opportunity to the affected parties to place their objections and after hearing them, if not already done, within a period of one month from today. In view of the fact that the matter is to be decided in a short period, there will be a direction that the permit holder shall not proceed with any further works under the permit till a decision is taken.

(K.M. JOSEPH, JUDGE)

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